



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,661	02/06/2004	Brian Good	723-007	7520

27106 7590 05/03/2007
MELVIN I. STOLTZ, ESQ.
51 CHERRY STREET
MILFORD, CT 06460

EXAMINER

GUIDOTTI, LAURA COLE

ART UNIT	PAPER NUMBER
----------	--------------

1744

MAIL DATE	DELIVERY MODE
-----------	---------------

05/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/773,661	Applicant(s) GOOD, BRIAN	
	Examiner Laura C. Guidotti	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-11 and 17-21 is/are rejected.
- 7) ☒ Claim(s) 12-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-20 are objected to because of the following informalities:

Claim 1 recites the limitation "the desired axial movement" in Line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the desired axial movement" in Lines 14-15.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 9-11, and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Grimsley et al., US 5,235,718.

Grimsley et al. disclose the claimed invention including an elongated, continuous shaft/cable (22, 24), a brush mounted to a first end of the elongated shaft/cable (10), a motor constructed for providing rotational output at a first rotational speed (16, 20; Column 4 Lines 49-51), the rotational output being drivingly engaged with a plurality of gear members (see Figures 3-4; gear train 72a-c') and a coupling connected to the elongated shaft/cable for continuously rotating the shaft/cable at the first rotational speed (unlabeled, near end of 22 as shown in Figure 1), a pinion gear (it is believed to be what is shown as "74" in Figure 4, however described as 78 in Column 5 Lines 58-

Art Unit: 1744

61, "78" is referred to both a pinion and roller concavity in Column 5 Lines 58-66) drivingly engaged with the rotational output of the motor and interconnected with the plurality of gear members (Figure 4), a plurality of gear members rotationally mounted in juxtaposed, side to side relationship (gear train 72a-c', Figure 4) and cooperating to define a travel path for receiving a length of the shaft/cable and longitudinally driving the shaft/cable in either a forward direction or a rearward direction (travel path is x-x'; Column 5 Lines 34-37, 58-64), and said gear members being constructed for receiving rotation of the pinion gear at the first rotational speed (as shown in Figure 4) and effectively producing a substantially reduced rotation at a second rotation speed (see Figure 4, the size of pinion gear 74 in this Figure is smaller in diameter than the gears of the gear train, thereby providing a substantially reduced rotation at a second rotation speed), whereby controlled axial movement and rotational movement of the shaft/cable is attained in an efficient and controlled manner (via braking), with the rotation of the shaft/cable being substantially greater than the axial movement speed thereof (when braking stops linear speed, Column 2 Lines 41-66). Regarding claim 2, the plurality of gear members comprise five separate and independent gear members (as shown in Figure 4), with three of the gear members being aligned in a first row (either row, Figure 4) and two of the gear members being aligned in a second, adjacent row (either row, Figure 4). Regarding claim 3, each of the gear members mounted in the second row are interconnected with the gear members mounted in the first row for rotationally driving at least two of the gear members (as shown in Figure 4, Column 5 Lines 50-53). Regarding claim 4, the pinion gear ("74", Figure 4) is further defined as being mounted

Art Unit: 1744

in driving engagement with the two gear members mounted in the second row (see Figure 4), whereby the rotational movement of the pinion gear imparts the driving force for rotating all of the gear members (see Figure 4; Column 5 Lines 58-61).

Regarding claim 5, each gear member is rotationally mounted on a support shaft (66; Column 5 Lines 48-50) with each of the support shafts being mounted to a support plate (68 or 70) inherently in a juxtaposed, spaced, aligned relationship with each other

(Figure 5). Regarding claim 6, each gear member further comprises a concave outer surface portion (as shown in Figure 5) constructed for receiving and controllably

advancing the shaft/cable mounted therewith to provide a desired axial movement of the shaft/cable (Column 5 Lines 38-41). Regarding claim 9, there is a handle (14, 52)

mounted to a second end of the shaft/cable (Figure 1) capable of enabling an operator to position the brush and rotating the shaft/cable where desired (Column 5 Lines 29-34),

the handle further comprising control means for selecting the directional movement of the shaft/cable (30; Column 6 Lines 17-33). Regarding claim 10, the system further

comprises a housing that retains the motor, gear assembly, and "associated" electronics (20; Figure 1; Column 4 Lines 49-51, Line 63 to Column 5 Line 3) and includes wheels

(unlabeled, Figure 1) capable of enabling equipment to be easily transported.

Regarding claim 11, the system further includes a shaft/cable receiving portal formed in the housing (unlabeled, where end of 22 is adjacent to 20 as shown in Figure 1) in

cooperating alignment with the travel path formed by the gear members (see Figure 1).

Regarding claim 18, the pinion gear (labeled as 74 in Figure 5, incorrectly discussed as 78 in Column 5 Lines 58-64) is at a first rotational speed and effectively produces a

Art Unit: 1744

substantially reduced rotation at a second rotation speed, the second rotational speed representing the speed of the axial or longitudinal movement of the shaft/cable and the first rotational speed being further defined as being about twice the second rotational speed (see Figure 4, as pinion gear 74 is about half the size of the other gears, the first rotational speed would be inherently about twice the rotational speed of gears 72a-c').

Regarding claim 19, the rotational speed of the shaft/cable and the longitudinal movement speed of the shaft/cable are controllable by a user (Column 4 Lines 43-62).

Regarding claim 20, the system further includes electronic controls capable of enabling system start-up (such as by control of an electric power line (Column 4 Line 68 to

Column 5 Line 1). Regarding claim 21, the control means is further defined as comprising a pair of air feed lines (32, 34) mounted in the handle (Figures 1, 3, 6), the air feed lines being constructed for controlling the direction of movement of the shaft/cable by opening or closing the feed lines (Column 4 Lines 53-62).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grimsley et al., US 5,235,718 as applied to claim 1 in view of Ciaccio, US 3,025,547.

Grimsley discloses all elements mentioned above, however does not include a gear reducing assembly.

Art Unit: 1744

Ciaccio teaches a cleaning device that has a rotational output of the motor interconnected with a gear reducing assembly (93) capable of reducing the rotational speed of gear members relative to the rotational speed of the shaft/cable and to provide the correct speed of drive (Column 4 Lines 16-18).

It would have been obvious for one of ordinary skill in the art to modify the device of Grimsley and further include a gear reducing assembly, as Ciaccio teaches, so that speed coming from a motor device can be provided with a correct speed.

Allowable Subject Matter

4. Claims 12-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone

Art Unit: 1744

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Laura C Guidotti
Patent Examiner
Art Unit 1744

lcg